

REPORT - PLANNING COMMISSION MEETING

June 23, 2005

July 14, 2005

Project Name and Number: FIRE STATION #6 (PLN2005-00278)

Applicant: City of Fremont

Proposal: To consider a Precise Planned District for a proposed fire station in the Centerville Planning Area.

Recommended Action: Recommend to City Council.

Location: 4355 Central Avenue in the Centerville Planning Area.

APN: 501-521-3-2; 501-521-2-10

Area: 2.5 acres

Owner: City of Fremont

Agent of Applicant: Bruce Martin, Fire Chief; Rob Kalkbrenner, Project Manager

Environmental Review: A Mitigated Negative Declaration has been previously prepared and adopted for this project.

Existing General Plan: Medium Density Residential, 6.5-10 Units per Acre

Existing Zoning: Planned District Centerville Specific Plan, P(CSPC)

Existing Land Use: Commercial truck parking

Public Hearing Notice: Public hearing notification is applicable. 423 notices were mailed to owners and occupants of property within a minimum radius of 500 feet from the site on the following streets: Peralta Boulevard, Wilburn Place, Jansen Terrace, Dusterberry Way, Logan Drive, Westminster Circle, and Central Avenue. The notices to owners and occupants were mailed on June 10, 2005. A Public Hearing Notice was delivered to The Argus newspaper on June 6, 2005 to be published by June 9, 2005.

Executive Summary: The applicant requests a Precise Planned District for a proposed fire station to replace the existing Fire Station #6 in the Centerville Planning Area.

Background and Previous Actions: In November 2002, a Fire Safety Bond measure was approved by 74% of the voters of Fremont. The \$51 million Fire Safety Bond is funding land acquisition and construction of three new fire stations, seismic retrofit of the remaining stations, and the construction of a public safety training center. On October 14, 2004, Planning Commission approved a finding that City acquisition of the proposed site at 4355 Central Avenue is in conformance with the General Plan. The purpose of the property acquisition was to allow the City to develop a new fire station to replace the existing Fire Station #6 now located at 37412 Fremont Boulevard. The City has since purchased the subject property.

The purchase agreement requires the master and sub-tenants (month-to-month tenants) to vacate the property on or before 9/30/05. The master tenant received financial compensation in relocation assistance as well as leasing advice and a referral for the sub-tenants. The sub-tenants are receiving similar relocation advice. Construction of the new fire station is planned for early 2006. Prior to beginning the fire station construction, abatement of the hazardous materials and demolition of the existing structures on the site is necessary. The site preparation work is planned to begin this fall.

Project Description: The applicant is requesting that the Planning Commission recommend to City Council the Precise Planned District for the site at 4355 Central Avenue. The Precise Planned District would allow the development of a new fire station to replace the existing Fire Station #6 now located at 37412 Fremont Boulevard. The project site is located in an area with existing residential and commercial development on all sides of the site. The proposed site is approximately 2.5 acres of which approximately 1.37 acres are proposed to be developed with the fire station and reserve apparatus storage building and associated parking (Phase 1). The remainder of the site (Phase 2) would be developed in the future with a conference/training classroom and parking lot. Phase 2 is shown schematically on the plans but the final design is subject to a separate review.

The proposed Fire Station #6 is 13,183 square feet with four apparatus bays. It will house one engine company (three personnel), one truck company (three personnel) and one battalion commander. Reserve apparatus will be stored in a separate building approximately 2,400 square feet in size. The structure is a combination of one and two story areas and includes a kitchen, dining room, day room, exercise room, bedrooms, office area, turnout room, project & supplies work area and storage, restrooms, public area, and other accessory features. The site design includes masonry walls and open sliding gates at the Central Avenue and Dusterberry Way frontages of the property and a masonry wall to the rear of the site. Other site features include public and employee parking, an emergency generator and fuel tank, an outdoor patio area, and landscaping in both public and secured areas. The building will be staffed and operational as a fire station 24-hours a day, 365 days a year.

General Plan Conformance: The project site land use designation is Medium Density Residential, 6.5-10 dwelling units per acre. The General Plan allows public facilities to be located in residentially designated areas, although conditions may be established to limit the impacts of these uses on residents. The site would provide fire protection for the Centerville area of the City of Fremont and response elsewhere in the City of Fremont by providing improved fire response facilities. The existing location of Fire Station #6 is in a building that is much smaller than the optimal size for modern Fire Department operations. New fire stations are approximately 10,000 square feet in size. The existing Fire Station #6 was built in 1954 and is approximately 4,600 square feet. Among other issues, the current apparatus bays are too small for the newer engines. The existing Fire Station #6 is also located within the Centerville Specific Plan Area, Subarea 1. The Concept Plan for this Subarea (Figure C-2) indicates that the relocation of the fire station is part of the redevelopment of the area. A new fire station is also preferably located on an arterial street. The project site is at the intersection of two arterial streets. The new fire station location is expected to support the Fire Department goal of responding to emergency calls within 5.5 minutes on 95% of the calls. The Fire Department has developed a computer model of incidents and coverage of the City. The site was chosen in the context of all districts and the number of calls received by all stations. The three busiest stations are located in the Central, Centerville, and Irvington areas. Those three stations receive half of all emergency calls. The proposed fire station is consistent with the following objective, policy, and implementation measures of the General Plan:

Fundamental Goals of the General Plan:

Goal F-10: PUBLIC SERVICES RESPONSIBLY MANAGED AND EQUITABLY DISTRIBUTED THROUGHOUT THE CITY.

Public services must continue to be equitably distributed throughout the city. To the maximum degree feasible, all areas should be equally served by parks, fire stations, libraries, and other public facilities and services.

Health and Safety Goals and Policies:

Objective HS 4.1: Development locations and standards which limit the potential health and safety risks, and the risks of severe economic loss due to fire hazards.

Policy HS 4.1.1: Provide an adequate level of fire equipment and personnel to protect the community.

Implementation 1: Continue to implement plan for improving fire service through expansion to 11 stations, movement of stations and other improvements.

Objective HS 5.1: Maximum feasible achievement of a five minute 30 second response time for areas where response time for areas where response time is identified as achievable.

Policy HS 5.1.2: Consider improvements in services and facilities to provide maximum feasible achievement of a five minute 30 second response within the City.

Zoning Conformance: The property is zoned Planned District as part of the Centerville Specific Plan implementation measures. The proposed public facilities use is typically subject to a Conditional Use Permit, but is being processed as a Precise Planned District because of the existing zoning. The proposed site design and setbacks are appropriate for the neighborhood and the function of the fire station.

Architecture: The proposed fire station is a combination of one and two story areas that reflect the various functions of the facility. A tower feature at the public entry provides an architectural element that accentuates the street corner. The station design includes a four bay apparatus room, public lobby, internal staff work areas and living quarters. The proposed exterior is a textured stucco finish, curved profile concrete roof tiles, and exposed metal trellis trim. Three different shades of paint colors (ivory, tan, and light brown) are used as field colors to break up the massing of the building. Ceramic tile provides additional detail at the tower feature. The windows are gray tinted glass with aluminum frames. A brownish red is used as an accent color for the main and apparatus doors. The roof varies in height from one story elements to a tower feature at 31+ feet to the maximum height of 35 feet, 10 inches at the second story dormitory area. The proposed fire station is subject to the requirements of the City of Fremont Public Art program for new construction. The Art Review Board and staff have recently started the process to select art for the fire station.

Landscaping: The site will have a variety of plant materials including the required street trees and site trees. The design incorporates vegetated swales in the northeast corner and east of the visitor parking area. The proposed design includes the removal of two existing street trees that are located where the future driveways are proposed to be constructed. Mitigation for the tree removal is required and will consist of planting of onsite and offsite trees.

Parking: The Zoning Ordinance does not specifically address parking requirements for fire stations. The proposed site plan provides four parking spaces, including one handicapped accessible space, near the front entrance and available to the public. Sixteen parking spaces are provided for employees to park within the secured area to the rear of the fire station. Staff believes the number of spaces is acceptable based on the number of staff of the fire station, possible training functions, limited public activities, as well as the number of spaces customarily provided at other fire stations throughout the City.

Circulation/Access Analysis: The project site has frontage on both Central Avenue and Dusterberry Way. A new driveway on Dusterberry Way provides ingress and egress for passenger vehicles, including employees and visitors. This driveway will also be the primary ingress for Fire Department emergency response vehicles. On-site sidewalks provide pedestrian circulation from the visitor parking area to the fire station and from the public sidewalk on Central Avenue to the fire station.

The Central Avenue driveway will primarily be used for egress of emergency response vehicles. This driveway is proposed to be approximately seventy-three feet wide to accommodate the four vehicle bays in the new fire station. The City Council adopted development policy for driveways generally limits driveway widths to be not greater than thirty-five feet, however there is a provision to permit larger driveways "if evidence justifies such modification as being necessary to the development and it will not adversely affect the street carrying capacity." In this case, the large driveway is needed to facilitate the intended fire station and the proposed seventy-five foot wide driveway will not adversely affect the street carrying capacity.

The plan also shows “keep clear” pavement markings in front of the Central Avenue driveway. The pavement markings are not approved as part of the Planned District but will be reviewed with the street improvement plans prior to issuance of the building or encroachment permit.

Street Improvements: Central Avenue and Dusterberry Way street improvements were constructed as part of Local Improvement District 2 in the early 1960s. Due to the age of the existing improvements and the need to remove and replace existing driveways, the project will demolish the existing sidewalk and construct new, wider sidewalk on both street frontages. At this time, the existing sidewalk will remain on the portion of Central that is shown as a possible phase 2 training facility and parking lot. Existing street pavement shall also be repaired on Central Avenue, and if needed on Dusterberry Way, as determined by the City Engineer.

All street improvements shall be constructed to City standards, except that the sidewalk width shall be increased by one-foot to five feet and the planter strip between the sidewalk and curb shall be increased in width by six-inches to five feet six inches. Also, the driveways shall be designed to accommodate the repetitious use by heavy fire apparatus, which may result in thicker concrete driveway aprons. All street improvements shall be subject to review and approval of the City Engineer and shall be permitted via an encroachment permit issued prior to or concurrently with the building permit.

Urban Runoff Clean Water Program: The Federal Clean Water Act of 1972 and Water Quality Act (1987) require localities throughout the nation to obtain a National Pollutant Discharge Elimination System permit (NPDES) in order to discharge storm water into public waterways such as creeks, rivers, channels and bays. The applicant will comply with the City’s Urban Runoff Clean Water Program in accordance with the NPDES requirements issued by the State’s Water Quality Control Board.

In order to meet the NPDES requirements, the project is proposing vegetated swales in the northeast corner and east of the visitor parking area. The swale in the northeast corner is designed to treat stormwater runoff from the staff parking and pavement areas north of the apparatus rooms. Roof downspouts will either discharge to landscaped areas or will discharge to pavement areas that are graded to drain to the vegetated swales. Additionally, a sand and grease filter is proposed to filter pollutants that may enter floor drains within the apparatus room.

Waste Management: This project involves Fire Station/Institutional construction and shall be subject to the provisions of the California Integrated Waste Management Act of 1989 (AB939). The Act requires that 50% of the waste generated in the City of Fremont be diverted from landfill sites by the year 2000. Additionally, the project is subject to the City’s Source Reduction and Recycling Element (1992), an Integrated Waste Management Ordinance (1995), and a Commercial/Industrial Recycling Plan (1997). These documents require that any new project for which a building permit application is submitted to include adequate, accessible, and convenient areas for collecting and loading trash and recyclable materials. Any trash/recycling enclosure for the project shall be designed in a manner to be architecturally compatible with nearby structures and with the existing topography and vegetation in accordance with such standards.

Response from Agencies and Organizations: No outside response or comment had been received at the time of publication of this report.

Community Meeting Comments: During the design process, a series of community meetings were held on. The attendees were primarily adjoining neighbors to the project. Concerns were expressed regarding the site plan, lights, noise, and the architecture of the station.

Environmental Analysis: A Mitigated Negative Declaration was previously prepared and adopted for this project by City Council on.

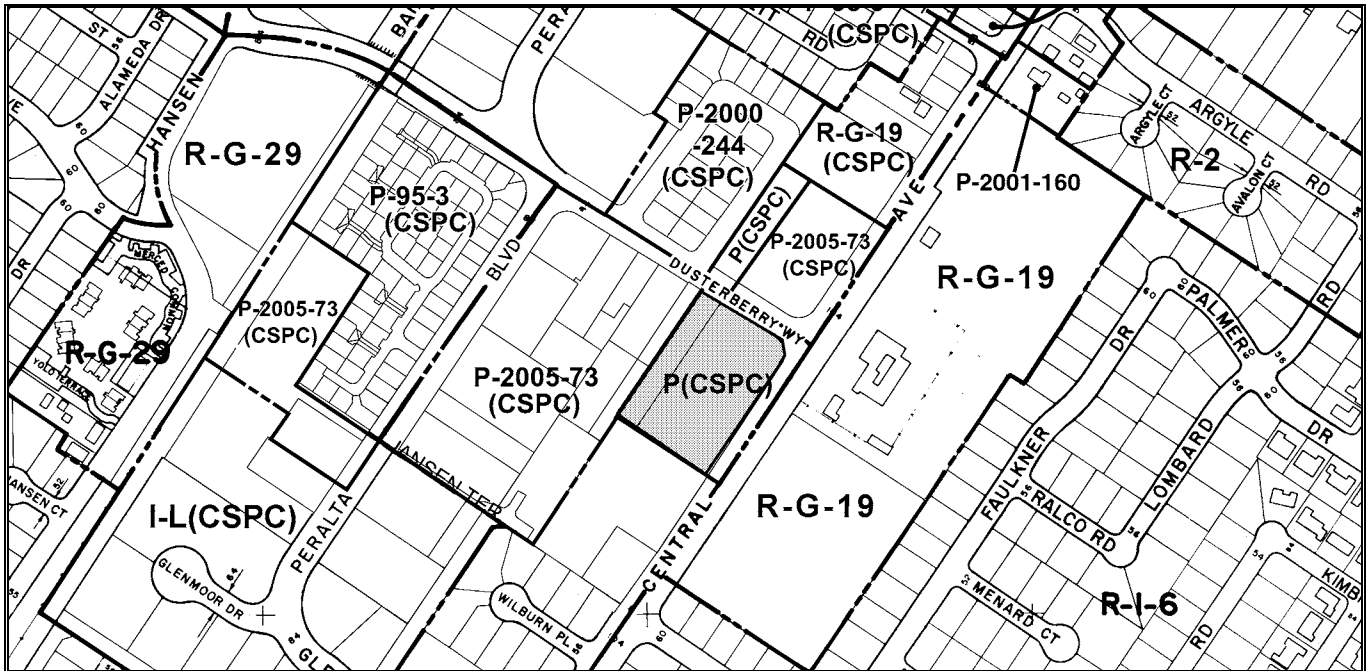
Enclosures: Exhibit “B” Site plan, Floor plans, Elevations, Civil, and Landscape Plans
Architect statement

Exhibits: Exhibit “A” Planned District
Exhibit “B” Site plan, Floor plans, Elevations, Civil, and Landscape Plans
Exhibit “C” Findings and Conditions of Approval
Exhibit “D” Color and Material Sample Board

Recommended Actions:

1. Hold public hearing.
2. Find that the Mitigated Negative Declaration previously adopted on addressed and mitigated the environmental impacts of this planned district amendment.
3. Find that PLN2005-00278 is in conformance with the relevant provisions contained in the City's existing General Plan. These provisions include the designations, goals and policies set forth in the General Plan's Fundamental Goals and Health and Safety Chapters, as set forth in Exhibit "C", hereby adopted by reference.
4. Find PLNPLN2005-00278, as per Exhibit "B" (site plan, floor plans, elevations and civil, and landscape plans), fulfills the applicable requirements set forth in the Fremont Municipal Code.
5. Recommend to the City Council the Precise Planned District as shown on Exhibit "A" (Planned District, Exhibit "B" (site plan, floor plans, elevations and civil, and landscape plans), and Exhibit "D" (material color and sample board) for PLN2005-00278 be approved, based upon the findings and subject to the conditions of approval set forth in Exhibit "C".

Existing Zoning
Shaded Area represents the Project Site



Existing General Plan

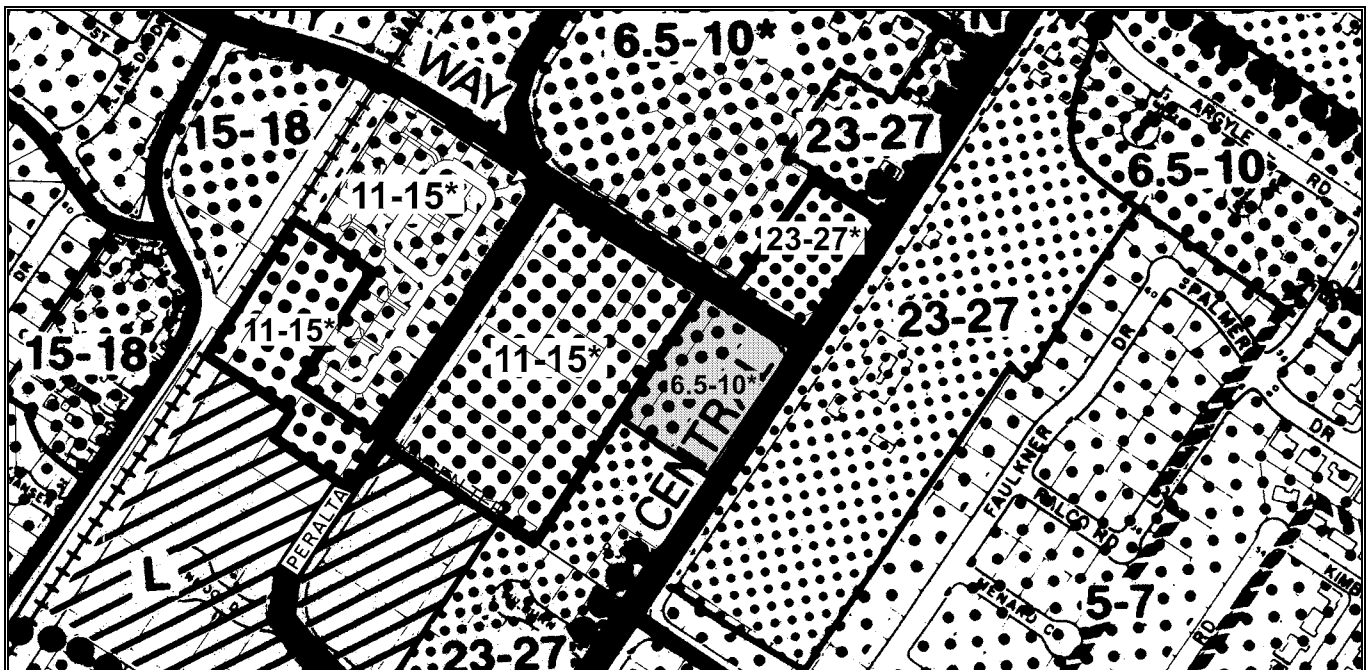


EXHIBIT "A"

Attached to and made a part of

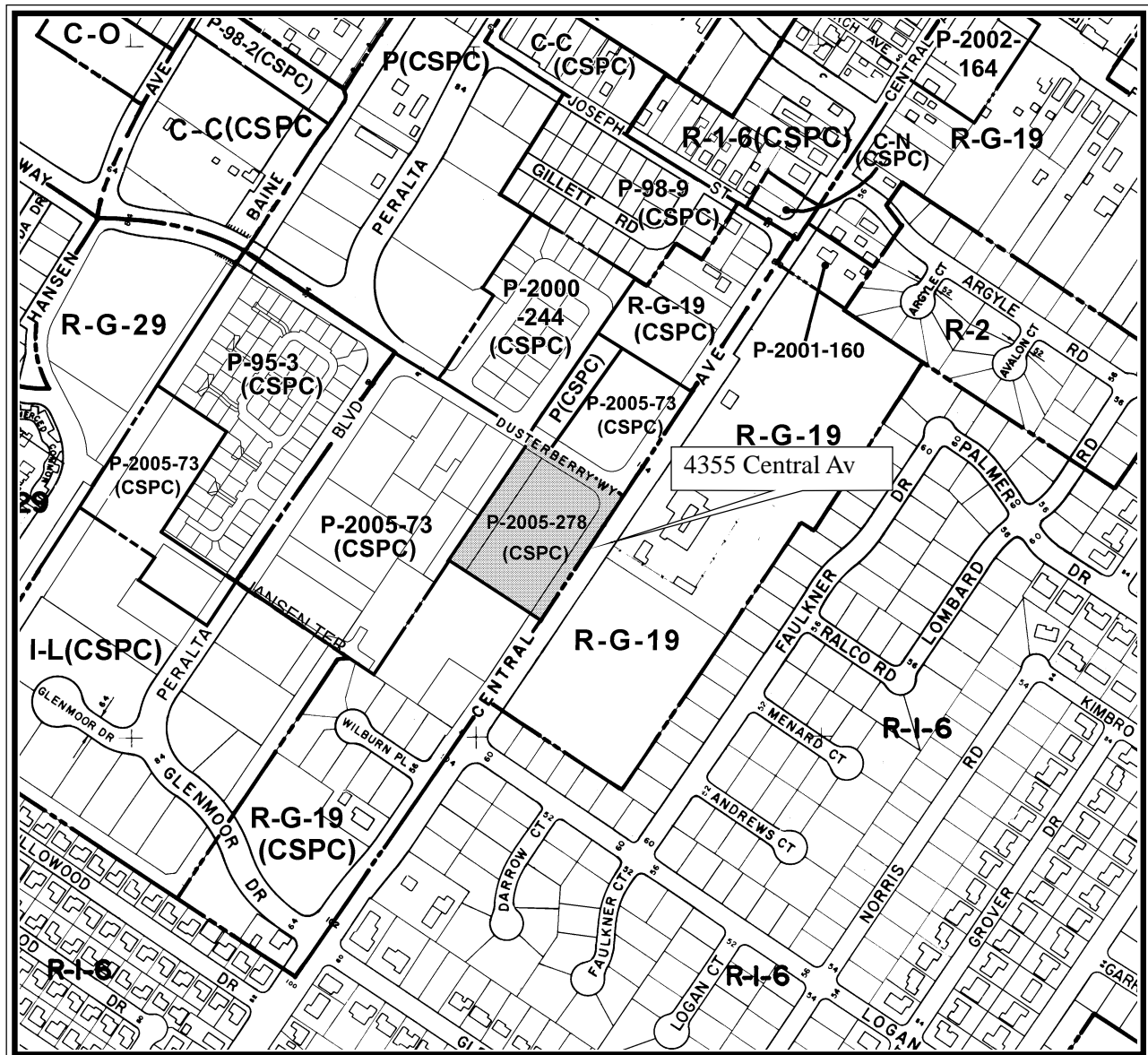
Ordinance No. _____

adopted by the City Council of the City of Fremont, California

On the _____ **day of** _____, **20** 05.

ZONING MAP (SECTION)

AFFECTS ZONING MAP(S) FOR THE CENTERVILLE PLANNING AREA



[pc on 07-14-2005] 60-384

From: P(CSPC)

To: P-2005-278(CSPC)

Project Name: Fire Station 6

Project Number: PLN2005-00278 (Pd)

BSM

Exhibit "C"
Findings and Conditions of Approval
Fire Station #6 – Central Avenue (PLN2005-00278)

FINDINGS:

Based on the information in the staff report to the Planning Commission dated July 14, 2005, and the testimony at the public hearing, the Planning Commission finds as follows:

1. The proposed "P" district, an amendment to a Planned District, or given unit thereof, can be substantially completed within four years of the establishment. The applicant expects construction to begin in early 2006 and occupy the building within the four-year time period.
2. Each individual unit of development, as well as the total development, can exist as an independent unit capable of creating an environment of sustained desirability and stability or that adequate assurance will be provided that such objective will be attained; the uses proposed will not be detrimental to present and potential surrounding uses, but will have a beneficial effect which could not be achieved under other zoning districts.

This proposal is a Precise Planned District to allow the construction of a fire station. Public facilities may be located in residentially designated areas, although conditions may be established to limit the impacts of these uses on residents. The fire station would provide fire protection for the Centerville area of the City of Fremont and respond elsewhere in the City of Fremont by providing improved fire response. The proposed use will not be detrimental to present and potential surrounding uses because the location on the site and building have been designed to minimize impacts.

3. The streets and thoroughfares proposed are suitable and adequate to carry anticipated traffic, and increased densities will not generate traffic in such amounts as to overload the street network outside the Planned District.
4. Any exception from standard ordinance requirements is warranted by the design and amenities incorporated in the precise site plan, in accord with adopted policy of the planning commission and the city council.
5. The area surrounding said development can be planned and zoned in coordination and substantial compatibility with the proposed development.
6. The P district is in conformance with the general plan of the City of Fremont.

Based on the information in the staff report it is clear that the Planned District conforms to the general goals, policies and the land use designation for the site.

7. Existing or proposed utility services are adequate for the project.

The utility companies were notified of the development. They did not state that they will be unable to provide services to the site.

CONDITIONS:

Prior to issuance of building permits:

General:

- A-1 Approval of this Planned District is based upon conformance with Exhibit "B" (Site Plan, Building Floor Plans and Elevations, Preliminary Landscape Plan), and all conditions of approval for PLN2005-00278 as set forth in Exhibit "C". All colors and materials shall comply with those included in Exhibit "D", unless otherwise indicated in the conditions included herein.

- A-2 Plans shall be submitted to the Development Organization for review to insure conformance with relevant codes, policies and other requirements of the Fremont Municipal Code.
- A-3 The identified air quality impacts of grading and construction, dust suppression measures shall be incorporated into the project conditions of approval and construction drawings. Dust generated on the project site shall be controlled by watering all exposed areas at least twice daily during excavation, and especially during clearing and grading operations. Additional watering on windy or hot days is required to reduce dust emissions. Stockpiles of sand, soil, and similar materials shall be covered with a tarp. Cover trucks hauling dirt or debris to avoid spillage. Paving shall be completed as soon as feasible to reduce the time that bare surfaces and soils are exposed. In areas where construction is delayed for an extended period of time, the ground shall be replanted to minimize the generation of dust. A person shall be designated to oversee the implementation of the dust control program.
- A-4 Minor modifications to building designs and elevations may be made subject to review and approval of the Assistant City Manager, if such modifications do not deviate from the architectural character of the original approval.
- A-5 Should any cultural resources or human remains be unearthed during site development work, work will immediately cease and the provisions of CEQA Guidelines, Article 5, Section 15064.5 will be followed.
- A-6 All roof mounted and other mechanical equipment shall be screened from view from adjacent public rights-of-way and other uses. No equipment shall project outside the face of the building, unless screened.
- A-7 All utility sources associated with the development of this project, including PG&E meters, and any roof mounted mechanical equipment shall be screened from view from the public right-of-way, and will be subject to the review and approval of staff during the Development Organization review process.
- A-8 Other than public roadway lights, no exterior lighting shall be permitted except those with a concealed source. No fluorescent "security lightning" sources shall be permitted on the exterior of the building unless they are adequately screened.
- A-9 Lighting fixtures in the parking areas shall be focused onto the project site and shielded away from adjacent roadways and residences. The design and details will be subject to the review and approval of staff during the Development Organization review process.
- A-10 The applicant shall design the building to be LEED (Leadership in Energy and Environmental Design) certifiable.
- A-11 The applicant shall use a less tinted (lighter gray) glazing in the front elevations that are visible to the public.

Environmental Services:

- B-1 External refuse and recycling storage areas (enclosures) shall be located near the building, and shall allow easy access by collection vehicles. They shall be designed and sized in compliance with FMC Section 8-22155 and the City's Waste Handling & Recycling Requirements and Policies (09/2002).
- B-2 Prior to beginning work on this project the applicant must complete and return to Environmental Services a **City of Fremont Waste Handling Plan**. Within 5 days of completing the work, the applicant must complete and return to Environmental Services a **City of Fremont Waste Disposal & Diversion Report**. A Project Waste Handling Plan must be completed by the applicant and returned to the Environmental Services Division before any demolition or construction permits are issued. The form can be obtained through the City of Fremont Environmental Services Division, 39550 Liberty Street, Fremont.
- B-3 The applicant will use as many environmentally friendly materials and construction techniques as available and feasible.

Engineering:

- C-1 Plans shall be submitted to the Development Organization for review and approval to insure conformance with relevant codes, policies, and other requirements of the Fremont Municipal Code.
- C-2 The developer shall remove the existing sidewalk and construct new sidewalk along the phase 1 project frontages on Central Avenue and Dusterberry Way. The replacement sidewalk shall be five feet wide as shown on exhibit A. The planter strip between the new sidewalk and existing curb shall be five feet six inches wide and shall be planted in accordance with City Standards. Existing street trees, which are to remain, shall be protected during all phases of construction.
- C-3 The new driveways, new sidewalk, and refurbished street pavement shall be designed to accommodate repeated exposure to fire apparatus and other heavy vehicle loads.
- C-4 Street improvement plans, including signing, striping, landscape, and utility plans, shall be submitted to the Development Organization. Street improvement plans are subject to review and approval of the City Engineer prior to issuance of the encroachment permit.
- C-5 The developer shall obtain an encroachment permit for all construction within the public right-of-ways Central Avenue and Dusterberry Way. The encroachment permit shall be obtained prior to or concurrently with the building permit for the project.
- C-6 The applicant shall submit a detailed soils report, including recommendations regarding pavement structural sections, prepared by a qualified soils engineer registered by the State of California. The soils report shall include specific recommendations for on site pavement areas that will experience repeated exposure to heavy vehicle loads.
- C-7 Grading operations shall be in accordance with recommendations contained in the required soils report and shall be supervised by an engineer registered in the State of California to do such work.
- C-8 The developer shall comply with the City's Urban Runoff Clean Water Program in accordance with the NPDES requirements issued by the State's Water Quality Control Board.
- C-9 The project design shall include storm water measures for the operation and maintenance of the project for the review and approval of the City Engineer. The project plan shall identify Best Management Practices (BMPs) appropriate to the uses conducted on site that effectively prohibit the entry of pollutants into storm water runoff.
- C-10 The developer is responsible for ensuring that all contractors are aware of all storm water quality measures and that such measures are implemented. Failure to comply with the approved construction Best Management Practices will result in the issuance of correction notices, citations, or stop orders.
- C-11 The property owner is responsible for litter control and for sweeping of all paved surfaces. Sidewalks, parking lots, and other paved areas must be swept regularly to prevent the accumulation of litter and debris. If pressure washed, debris must be trapped and collected to prevent entry into the storm drain system. No cleaning agent may be discharged to the storm drain.
- C-12 All on-site storm drains are to be cleaned prior to building occupancy and also be cleaned each year immediately before the beginning of the rainy season (October 15). Annual cleaning shall include inspection, maintenance, and/or replacement of provided storm water quality site design measures.
- C-13 All paved outdoor storage areas must be designed to reduce and limit the potential for runoff of contact pollutants. Bulk materials stored outdoors may need to be covered as determined by the City Engineer.
- C-14 All public and private storm drain inlets are to be stenciled "No Dumping – Drains to Bay" using stencils purchased from the Alameda County Urban Runoff Clean Water Program at 951 Turner Court, Hayward, California. Color

and type of paint to be as approved by the City Engineer. Alternative inlet marking may be proposed by the applicant, subject to review and approval of staff during Development Organization.

- C-15 The developer and/or contractor shall notify Underground Service Alert (U.S.A.) at 1-800-227-2600 at least two working days before beginning any excavation for this project. A prominent note shall be included in the project plans requiring the notification of U.S.A.
- C-16 Site grading shall not obstruct natural flow from abutting properties or divert drainage from its natural watershed.
- C-17 The applicant shall provide for a functional system to control erosion and siltation during and after grading subject to review and approval by the City Engineer. An erosion and sediment control plan shall be included as part of the grading plans.
- C-18 Prior to issuance of a permit for land disturbance greater than one acre, the developer is to provide evidence that a Notice of Intent has been filed and with the State of California Water Resources Control Board. Evidence shall include the WDID number assigned by the State. The developer is responsible for insuring that all contractors are aware of all storm water quality measures contained in the Storm Water Pollution Prevention Plan (SWPPP).
- C-19 A disposal site for the off-site haul dirt materials or source for the import fill shall be approved by the City prior to the approval of the grading permit. The off-site haul route for the excess dirt or import fill shall be subject to the approval of the City Engineer.
- C-20 Interior floor drains shall be plumbed to the sanitary sewer system and shall not be connected to storm drains. The applicant shall contact Union Sanitary District for specific connection and discharge requirements.
- C-21 Landscaping shall be designed to minimize irrigation and runoff, promote surface infiltration where appropriate, and minimize the use of fertilizers and pesticides that can contribute to stormwater pollution.
- C-22 New or redevelopment projects such as food service facilities, recycling facilities and/or multi-family residential complexes or similar facilities shall provide a roofed and enclosed area for dumpsters and recycling containers. The area shall be designed to prevent water run-on to the area and runoff from the area and to contain litter and trash, so that it is not dispersed by the wind or runoff during waste removal.
- C-23 Runoff from food service areas, trash enclosures, recycling areas, and/or food compactor enclosures or similar facilities shall not discharge to the storm drain system. Trash enclosure areas shall be designed to avoid run-on to the trash enclosure area. Any drains installed in or beneath dumpsters, compactors, and tallow bin areas serving food service facilities shall be connected to the sanitary sewer. The applicant shall contact Union Sanitary District for specific connection and discharge requirements.
- C-24 Wastewater from vehicle and equipment washing operations shall not be discharged to the storm drain system.

Landscape:

- D-1 Removal of street trees for the construction of driveways shall be mitigated by the planting of onsite and offsite trees. Tree species, quantity and size shall be determined upon discussion with staff and with the City's Maintenance Division.
- D-2 Clearly demarcate the extent of Phase I. The current work shall be complete onto itself in that it is clearly separated from the Phase II work. There shall be no open or unfinished planting areas dependent on Phase II work.
- D-3 A planting strip of a minimum 6' clear planting area shall be provided along the chainlink fence separating the current project site from the Phase II area, as well as along the northwesterly property line of the Phase 1 area.

- D-4 For reference, please note the following requirement from the LDRP for tree planting: "Branches from mature trees may not overhang buildings and roofs. Adequate space to plant trees adjacent to buildings or other built features must be provided in the following minimum ways:
- a) Small trees (to 15 feet tall) no closer than 6 feet from building or 2 feet* from paving, curbs, or walls with a minimum planting area 5 feet wide.
 - b) Medium trees (to 30 feet tall) no closer than 10 feet from building or 3 feet* from paving, curbs, or walls with a minimum planting area 6 feet wide.
 - c) Large trees (above 30 feet tall) no closer than 15 feet from building or 3 feet* from paving, curbs, or walls with a minimum planting area 6 feet wide, preferably 8 feet wide".
- D-5 All planting areas containing trees shall be free of all Utility Structures (including light standards). Clearances between Utilities and Trees shall conform to SD-34 City Standard Street Tree Clearances.
- D-6 A landscape plan shall be submitted to the Development Organization or the with Final Map Improvement Plans, or both, as directed by the City Landscape Architect, for review and approval, indicating full details regarding (1) paving materials and textures of walkways and paved pedestrian areas, (2) lighting of walkways and pedestrian areas with low intensity non-glare type fixtures, (3) screening of driveways and parking areas, and (4) landscaping of open areas. As part of the landscape plans the applicant shall submit:
- a) An underground irrigation plan.
 - b) Weed control specifications.
 - c) A lighting plan for the illumination of the building, pedestrian and parking areas. Type of lighting fixtures, their heights, intensity and direction shall be clearly indicated.
 - d) Construction details of raised planters, walkways, paths, benches, walls, fences, trellises, and other architectural features as appropriate to the project.
- D-7 All provisions of the City of Fremont Landscape Development Requirements and Policies (LDRP) shall apply to this project unless otherwise approved by the City Landscape Architect. Current copy of the LDRP available at the Engineering Counter shall prevail.
- D-8 Submit a complete Tree Survey that conforms to the LDRP pages 4-8 (Identify trees with a brief description of its condition). In addition to the onsite trees, there are a number of City street trees that should be included in the Tree Survey. Include the Magnolias on Central that may have been previously topped by PG&E, as well as trees on Dusterberry.
- D-9 The applicant shall provide landscaping within bio-swales, grassy swales and detention ponds in compliance with NPDES standards subject to staff review during the development organization review period. Trees shall not be planted in the flow line of the swale.
- D-10 Landscaping in the parking lot islands and areas adjacent to the building shall provide for stormwater treatment and management, i.e. vegetated swales, infiltration areas for roof drains, etc.

Fire Department:

- E-1 The applicant shall meet all requirements in the 2001 California fire code and all local amendments to that code in Ordinance #2485.
- E-2 The applicant shall provide 2 additional fire hydrants:
- One shall be located shall be at the rear northwest corner of the project using project direction.
 - The second shall be just east of the southwest driveway. This hydrant may be either on site or public.
- E-3 The applicant shall increase the lateral connection, detector check valve and fire under ground service to 8 inches. It then may be reduced to 6 inch when there is a single hydrant to be supplied.

- E-4 The applicant shall increase the driveway width between the reserve apparatus storage building and the parking stall to at least 20 feet; 24 feet is preferred.
- E-5 The applicant shall install an automatic fire sprinkler system in the building for fire protection purposes. Waterflow and control valves must be monitored by a central alarm monitoring system and Central Station. The monitoring system shall have a smoke detector placed over the fire panel, a pull station, and an audible device located in a normally occupied location.
- E-6 Plan, specifications, equipment lists and calculations for the required sprinkler system must be submitted to the Fremont Fire Department Authority and Building Department for review and approval prior to installation. A separate plan review fee is required. Standard Required: N.F.P.A. 13 with local amendment
- E-7 Prior to installation, plans and specifications for the underground fire service line must be submitted to the Fremont Fire Authority and Building Department for review and approval. Please include cathodic protection or soils report stating why protection is not required. Standard Required: N.F.P.A. 24 and N.F.P.A 14.
- E-8 The applicant shall provide for approval a site plan/ Civil Utility Plan with the location of public, on-site fire hydrants and Fire Department Connections location(s).
- E-9 The applicant shall comply with Fremont code requirements for installation of fire retardant roof coverings.
- E-10 The applicant shall have a key box (Knox brand) located outside of buildings/gates and provide keys to the Fire Department so they may gain access. Vehicle gates shall use Knox lock or keyed over-ride switch. Gates shall also have an infrared receiver installed. Applications can be obtained at Fire Administration office, 3300 Capital Ave, Fremont.
- E-11 The applicant shall install Fire alarm system as required. The system must be monitored. The system must be N.F.P.A. 72 compliant and have an interior audible device per the C.F.C. Upon completion a "UL" serial numbered certificate shall be provided at no cost to the City of Fremont Fire and Life Safety Inspector. Fire alarm systems devices shall be addressable and report to the Central Monitoring Station addressable.
- E-12 Gates across Fire Department access roads shall have a minimum 15-foot clear, unobstructed linear width and a clear vertical height of 13 feet 6 inches. All locking devices shall provide for Fire Department emergency access with Knox box, lock or over-ride switch. (CFC 2000, Sec. 902.2.4 & 902.2.1.)
- E-13 Fire Department Connections for all sprinkler system must be located not more than 100 feet from a fire hydrant. N.F.P.A 14. All inlets shall have Knox type caps and signs/address placards installed at the connection.
- E-14 Fire hydrant spacing requirement is 300 feet. Spacing. The distance is measured as the fire engine travels on all-weather surfaces.

Hazardous Materials:

- E-15 The applicant must submit, prior to the issuance of building permits, a building occupancy classification inventory form or hazardous materials inventory statement (HMIS), material safety data sheets (MSDSs) and a process description for all hazardous materials to be used, stored, or handled. These must accompany the final design submittals and any subsequent tenant improvement plans. If no hazardous materials will be on-site the applicant must prepare and submit a written disclosure letter. The property owner or applicant must also notify a prospective tenant that they may be required to submit, to the Fire Department, a hazardous materials inventory statement (HMIS), material safety data sheets (MSDSs) and process descriptions for all hazardous materials to be used, stored, or handled.
- E-16 The applicant must complete a hazardous materials business plan (HMBP) pursuant to Chapter 6.95 of California's Health and Safety Code and Title 19, section 2620-2732, of California's Code of Regulations (CCR).

Fire Department approval of the HMBP must be received and any necessary storage or operating permit(s) secured prior to moving hazardous materials onto the site.

- E-17 The applicant must develop a risk management program (RMP) that conforms to Chapter 6.95 of California's Health and Safety Code and Title 19, section 2620-2732, of California's Code of Regulations (CCR). Applicant shall receive Fire Department approval prior to the issuance of building permits.
- E-18 The applicant shall comply with the provisions of the permits required from any state or regional agencies, including, but not limited to, the Bay Area Air Quality Management District (BAAQMD), Regional Water Quality Control Board (RWQCB), Union Sanitary District's (USD) POTW and the Alameda County Department of Environmental Health.
- E-19 The portion of the facility to be converted to another use, shall be free of any reported hazardous materials and properly closed with the local agency (ies), as required by California Health and Safety Code, Chapter 6.95, and as detailed in the Hazardous Materials Business Plan filed with the City of Fremont Fire Department.
- E-20 The applicant must immediately notify the Fremont Fire Department, Hazardous Materials Unit of any underground pipes, tanks or structures; any suspected or actual contaminated soils; or other environmental anomalies encountered during site development activities. Any confirmed environmental liabilities will need to be remedied prior to proceeding with site development.
- E-21 The applicant must submit a Phase 1 and/or Phase 2 environmental site assessment(s). Additional requirements, remediation and/or clearances from Alameda County Health Department, Alameda County Water District, Regional Water Control Board, Department of Toxic Substances Control, or other agencies may be established subsequent to staff's review.

During Construction

- 1) Landscaping shall be designed with an efficient irrigation system to reduce runoff and promote surface filtration and, at the same time, minimize the use of fertilizers, herbicides and pesticides which can contribute to urban runoff pollution, subject to the review and approval of staff during the Development Organization review process. All landscaping shall be properly maintained.
- 2) Hours of construction shall be limited to 7 a.m. to 6 p.m. Monday through Friday, and 9 a.m. to 6 p.m. Saturday. No construction shall be permitted on Sundays. Failure to comply with the hours of operation, as listed above, will result in withholding of inspections.
- 3) The project shall comply with dust suppression measures. Dust generated on the project site shall be controlled by watering all exposed areas at least twice daily during excavation, and especially during clearing and grading operations. Additional watering on windy or hot days is required to reduce dust emissions. Cover stockpiles of sand, soil and similar materials with a tarp. Cover trucks hauling dirt or debris to avoid spillage. Paving shall be completed as soon as is practicable to reduce time that bare surfaces and soils are exposed. In areas where construction is delayed for an extended period of time, the ground shall be re-vegetated to minimize the generation of dust. Street sweeping shall be conducted to control dust and dirt tracked from the project site off site. A person shall be designated to oversee the implementation of dust control

Prior to release of building for occupancy:

- O-1 The property owner is responsible for litter control and for sweeping of all paved surfaces. Sidewalks, parking lots, and other paved areas must be swept regularly to prevent the accumulation of litter and debris. If pressure washed, debris must be trapped and collected to prevent entry into the storm drain system. No cleaning agent may be discharged to the storm drain.
- O-2 All on-site storm drains are to be cleaned prior to building occupancy and also be cleaned each year immediately before the beginning of the rainy season (October 15). Annual cleaning shall include inspection, maintenance, and/or replacement of catch basin filter inserts. The City Engineer may require additional cleaning.

- O-3 All public and private storm drain inlets shall be labeled "No Dumping - Drains to Bay", using stencils purchased from the Alameda County Urban Runoff Clean Water Program, located at 951 Turner Court, Hayward, California. Color and type of paint used shall be subject to the review and approval of the City Engineer prior to the issuance of building permits for the project.

After Occupancy:

The project architect/ engineer shall submit a letter to the City certifying the building has been constructed in conformance with the approved architectural plan, subject to the review and approval of the Assistant City Manager.